

general account shall affect any representation, action, inaction, or submission of the NO<sub>x</sub> authorized account representative or any alternative NO<sub>x</sub> authorized account representative or the finality of any decision or order by the Administrator under the NO<sub>x</sub> Budget Trading Program.

(iii) The Administrator will not adjudicate any private legal dispute concerning the authorization or any representation, action, inaction, or submission of the NO<sub>x</sub> authorized account representative or any alternative NO<sub>x</sub> authorized account representative for a general account, including private legal disputes concerning the proceeds of NO<sub>x</sub> allowance transfers.

(c) *Account identification.* The Administrator will assign a unique identifying number to each account established under paragraph (a) or (b) of this section.

[65 FR 2727, Jan. 18, 2000, as amended at 69 FR 21646, Apr. 21, 2004]

**§ 97.52 NO<sub>x</sub> Allowance Tracking System responsibilities of NO<sub>x</sub> authorized account representative.**

(a) Following the establishment of a NO<sub>x</sub> Allowance Tracking System account, all submissions to the Administrator pertaining to the account, including, but not limited to, submissions concerning the deduction or transfer of NO<sub>x</sub> allowances in the account, shall be made only by the NO<sub>x</sub> authorized account representative for the account.

(b) *Authorized account representative identification.* The Administrator will assign a unique identifying number to each NO<sub>x</sub> authorized account representative.

**§ 97.53 Recordation of NO<sub>x</sub> allowance allocations.**

(a) The Administrator will record the NO<sub>x</sub> allowances for 2004 for a NO<sub>x</sub> Budget unit allocated under subpart E of this part in the unit's compliance account, except for NO<sub>x</sub> allowances under § 97.4(b)(4)(ii) or § 97.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The Administrator will record NO<sub>x</sub> allowances for 2004 for a NO<sub>x</sub> Budget opt-in unit in the unit's

compliance account as allocated under § 97.88(a).

(b) By May 1, 2003, the Administrator will record the NO<sub>x</sub> allowances for 2005 for a NO<sub>x</sub> Budget unit allocated under subpart E of this part in the unit's compliance account, except for NO<sub>x</sub> allowances under § 97.4(b)(4)(ii) or § 97.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The Administrator will record NO<sub>x</sub> allowances for 2005 for a NO<sub>x</sub> Budget opt-in unit in the unit's compliance account as allocated under § 97.88(a).

(c) By May 1, 2003, the Administrator will record the NO<sub>x</sub> allowances for 2006 for a NO<sub>x</sub> Budget unit allocated under subpart E of this part in the unit's compliance account, except for NO<sub>x</sub> allowances under § 97.4(b)(4)(ii) or § 97.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The Administrator will record NO<sub>x</sub> allowances for 2006 for a NO<sub>x</sub> Budget opt-in unit in the unit's compliance account as allocated under § 97.88(a).

(d) By May 1, 2004, the Administrator will record the NO<sub>x</sub> allowances for 2007 for a NO<sub>x</sub> Budget unit allocated under subpart E of this part in the unit's compliance account, except for NO<sub>x</sub> allowances under § 97.4(b)(4)(ii) or § 97.5(c)(2), which will be recorded in the general account specified by the owners and operators of the unit. The Administrator will record NO<sub>x</sub> allowances for 2007 for a NO<sub>x</sub> Budget opt-in unit in the unit's compliance account as allocated under § 97.88(a).

(e) Each year starting with 2005, after the Administrator has made all deductions from a NO<sub>x</sub> Budget unit's compliance account and the overdraft account pursuant to § 97.54 (except deductions pursuant to § 97.54(d)(2)), the Administrator will record:

(1) NO<sub>x</sub> allowances, in the compliance account, as allocated to the unit under subpart E of this part for the third year after the year of the control period for which such deductions were or could have been made;

(2) NO<sub>x</sub> allowances, in the general account specified by the owners and operators of the unit, as allocated under § 97.4(b)(4)(ii) or § 97.5(c)(2) for the third